

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**
Case No. 24-24228-CIV-ALTONAGA

MEGAN PETE, an individual

Plaintiff,

v.

MILAGRO ELIZABETH COOPER,
an individual,

Defendant.

/

**DEFENDANT'S UNOPPOSED VERIFIED MOTION FOR SIXTY DAY
CONTINUANCE OF PRETRIAL DEADLINES AND TRIAL DATE**

Defendant, Milagro Elizabeth Cooper, by and through undersigned counsel, is respectfully requesting a 60-day continuance for all deadlines and trial date for the good cause set forth herein, and states the following:

1. This is a diversity case for miscellaneous relief brought by Plaintiff based on alleged defamation, intentional infliction of emotional distress, and other statutory relief.
2. This matter is currently scheduled for trial on July 21, 2025 or as soon as thereafter as the Court is available. The discovery cut-off is May 12, 2025. The deadline for filing Daubert and Dispositive motions is May 19, 2025.
3. Defendant respectfully moves this Court to continue pretrial deadlines and trial date by 60 days.
4. Defendant's lead counsel Michael Hayden has incurred extreme family hardship. Mr. Hayden will advise the Court of specifics in camera or shall file an affidavit under seal if the Court so requires it. This is the chief reason for the extension request.

5. Furthermore, Defendant's counsel has met and conferred with Plaintiff's counsel for all records requested to be produced. Parties are in the process of attempting to resolve this issue but this has also contributed to the need for the additional time. Plaintiff's counsel has ensured Defendant's counsel that they will supplement all discovery requests, as it is received. There is no definite date or time estimate given for this. Moreover, there is plethora of documentation to review from online posting just based on what has been produced in discovery thus far.

6. This motion is not being filed due to any dilatory purposes or for delay. The parties have been serving written discovery and depositions are scheduled to occur during the next several weeks. Plaintiff's availability to be deposed is only a few days before the current discovery cut-off and as such, the Defendant will not have sufficient time to prepare any pretrial motions before the current deadline. Thus far, the parties have been able to work out their discovery issues, however, there may be some issues that may require Court intervention to the extent they cannot work out some of the remaining issues.

7. No party will be unfairly prejudiced by the requested continuance. If this motion is denied, the Defendant will be unfairly prejudiced.

8. Counsel for Defendant personally conferred with Counsel for Plaintiff pursuant to Local Rule 7.1(a)(3) and Plaintiff has no objection to the requested time extension.

MEMORANDUM OF LAW

Federal Rule of Civil Procedure 16 grants district courts the power to police their dockets, including the imposition of deadlines. *Mingo v. Sugar Cane Growers Co-Op of Florida*, 864 F.2d 101, 102 (11th Cir. 1989). If the parties, like the litigants here, diligently and timely pursue their rights but for reasons other than their own negligence are unable to comply with the court's

deadline, the court should exercise its discretion and modify its scheduling order. *Payne v. Ryder Systems*, 173 F.R.D. 537, 539 (M.D. Fla. 1997); *Fellows v. Earth Construction Inc.*, 794 F.Supp. 531 (D. Va. 1992). This Motion clearly sets forth a good faith basis for continuing the current trial date. Defendants are not engaging in any type of delay tactic that would warrant denial of this Motion.

LOCAL RULE 7.6 CERTIFICATION

I hereby certify that the facts contained herein are true and correct.


MICHAEL R. HAYDEN, ESQ.

WHEREFORE, for the good cause set forth herein, Defendant respectfully request that the dates for pretrial conference, trial and all other remaining pretrial deadlines be extended by sixty (60) days. Alternatively, Defendant respectfully requests a scheduling conference before the Court to facilitate new pretrial deadlines and a trial date.

March 26, 2025

Respectfully submitted,

PANCIER LAW

/s/ Michael Pancier
Michael Pancier
(Fla Bar No. 958484)
mpancier@pancierlaw.com
Tel: (954) 862-2217
9000 Sheridan Street, Suite 93
Pembroke Pines, Florida 33024

Co-counsel for Defendant,

UNITE THE PEOPLE, INC.

/s/ Michael R. Hayden
Michael R. Hayden, Esq. (pro hac vice)
(California Bar No. 343302)
(Not admitted in Florida)
michael@unitethepeople.org
Tel: (888) 245-9393
555 E. Ocean Blvd., Suite 205
Long Beach CA 90802

Co-counsel for Defendant,

CERTIFICATE OF SERVICE

I hereby certify that on March 26, 2025, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing is being served this day on all counsel of record in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel who are not authorized to receive Notice of Electronic Filing.

By: *s/ Michael Pancier*
Michael Pancier
Fla Bar No. 958484